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Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1432nd Meeting

Monday, 11 July 1994, 3.00 p.m.
New York

Acting Chairman: Mr. Remirez de Estenoz Barciela . . . . . (Cuba)

The meeting was called to order at 3.20 p.m.

Question of Guam

Hearing of petitioners

At the invitation of the Chairman, Mr. Ronald Franquez Teehan (Guam Landowners Association) took a place at the petitioners' table.

The Chairman *(interpretation from Spanish)*: I call on Mr. Teehan.

Mr. Teehan: I wish to thank the Chairman and the members of the Committee for granting the request of the Guam Landowners Association to petition this body relative to the situation of the Non-Self-Governing Territory of Guam.

It has been 48 years since the United States, Guam's administering Power, placed the Chamorro People of Guam on the list of Non-Self-Governing Territories. Today, in 1994, we remain on that list as one of the last 11 Territories which have yet to realize the legitimate exercise of the right of self-determination. Ironically, our status is maintained under the guardianship of an administering Power which has supported the exercise of self-determination for numerous peoples throughout the world - but yet, we remain.

The Special Committee has the unique opportunity to further expand its examination of the situation of Guam from several significant perspectives, perspectives presented to this body through the eyes of the colonized. Before members today are representatives of the Governor of Guam and of the 22nd Guam Legislature, as well as non-governmental organizations such as ours.

Of special significance, and worthy of the full consideration of the Special Committee, is the presentation to the United Nations Special Committee on decolonization of Guam Legislative Resolution No. 299, unanimously co-sponsored by all the elected members of the 22nd Guam Legislature. Resolution No. 299 is an appeal to this body: first, to protect and promote the exercise of the right of Chamorro self-determination; secondly, to pursue the resolution of contentious land-taking issues; and, thirdly, to examine firsthand the colonial situation of Guam by sending a visiting mission to our island.

In this light, I wish to respectfully suggest that this body give due consideration to including the full text of Guam Legislative Resolution No. 299 in this year's draft resolution by the Special Committee relating to the situation in Guam.

There have been claims by the administering Power that the issues of land-taking and release are being adequately resolved. In consideration of this blatantly inaccurate claim, it is necessary in 1994 to revisit the history of our situation as well as current circumstances. Though I will present only a rough oral summation of my presentation, the attention of the Committee is respectfully directed to the actual submission and the attached memorandum.

94-85989 (E)

This record contains the original texts of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Section, room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

The Chamorro people are the indigenous heirs to one of the most viable pieces of real estate in the western Pacific - Islan Guahan. It is our good fortune that our geographic location has the potential of promoting economic opportunities that could ensure the viability of Chamorro participation in a modern world. Our historic misfortune lies in our geographic placement upon an international chessboard, with malleable rules being determined by others. We are less than a pawn, as the whims of the United States and its constantly changing rules compromise not only our future, but our very existence. Not being players in the game, we cannot cry foul or demand to see the rulebook. We are simply assured that their moves are legal, pursuant to their rules, as amended by the necessities of their game. It is one thing for the players to add or remove a piece from their board. It is a different matter altogether to actually be that piece. I propose that the Special Committee call time out and end this geopolitical chess game with our lives and resources at the hands of Guam's administering Power.

The situation we face is not only an issue of land use; it is a matter of equity. It is a matter of rights and of the denial of sovereignty - a sovereignty held in sacred trust by the United States. It is directly due to the denial of sovereignty, that the disputed matter of resource control even exists.

This is not a debate on the good or bad intent of those who have allowed these circumstances to occur. Regardless of intent, the effect remains the same: the political, economic and social displacement of an indigenous people within their own homeland. We must deal with the effect. To put it in another frame of reference, the presence of the United States on Guam is akin to having a giant in your home: no matter how well intentioned, he is bound to break something.

Though citations of United States law may conveniently provide impediments to the return of our lands and the exercise of rights, they do not legitimize the denial of justice. What may be portrayed as legal or illegal, possible or not possible, within the context of colonial law is not necessarily reflective of what is just, let alone equitable. What can be observed on Guam is not anger against an enemy but rather the rapidly rising frustration of a trusting Pacific people in the disappointing conduct of its administering Power, the United States.

A number of premises must be adhered to by the Special Committee if the Chamorro people are ever to realize a resolution of Guam's very complex situation: first, that the Chamorro people are entitled, by right, to control their real property resources and to equitably participate in the opportunities of their homeland; secondly, that our right continues to be impeded or denied because of the continuing existence of colonial structures; thirdly, that a fiduciary trust has been violated; fourthly, that solutions promoting equity for Chamorros must be sought; and, fifthly and most importantly, that the true and timely exercise of Chamorro self-determination is the right of the Chamorro people of Guam.

We must not describe the cause of today's circumstances in the past tense to persons very much alive - that was then, this is now - as if the utterance of such a pronouncement, in and of itself, could alter the colonial history and life experiences of the Chamorro people. Such a rationale must be seen for what it truly is: a justification for the continued denial of rights, equity and justice.

The rights of indigenous peoples must be considered in the context of democratic principles and international conventions on decolonization, as opposed to the constraining framework of imposed colonial structures. Though this is admittedly a philosophical argument, and not reflective of the real world, I submit that the democratic rights of a people do not accrue proportionally to their ability to defend them. If participation by the United States in international institutions can defend the rights of others, is it so inconceivable that Chamorros be extended the same considerations and protections - for the same reasons?

In 1946, the United States placed the Non-Self-Governing Territory of Guam on the United Nations list of Non-Self-Governing Territories. Pursuant to Article 73 of the Charter, the United States accepted as a "sacred trust" the responsibility to provide for the well-being of the inhabitants of Guam and the interim protection of their resources, pending their eventual exercise of self-determination. Pursuant to its first report on Guam to the United Nations, the United States made clear that it was the indigenous Chamorro people who were the inhabitants of Guam.

The stated commitments of the United States to protecting Chamorro real property resources, providing rehabilitation by the payment of settlements, developing a Chamorro-driven economy and establishing self-government on an equitable basis were never realized.

Chamorros were promised protection in the interim period pending the development of our ability to enter into our rightful place in the modern world. What we have

experienced, instead, has been exploitation and displacement in our own homeland. Our question to the Special Committee on Decolonization is, what yardstick is to be the measure of an equitable resolution of land rights issues and the exercise of Chamorro self-determination in our homeland, the Non-Self-Governing Territory of Guam?

The United States has taken on as a sacred trust a commitment to adhere to the provisions of Article 73 of the Charter relative to the situation of Guam. Additionally, the United States has reported to this body that it has complied with the provisions of that Article. Of great significance, then, is the United States District Court ruling relative to the Guam land claims litigation that a fiduciary relationship does not exist between the Chamorro people and the United States. This ruling flies in the face of United States claims before the Special Committee of its continuing commitment to Article 73 of the United Nations Charter. How can the United States claim to be adhering to its commitments when its own District Courts have ruled that no fiduciary responsibilities exist?

With the end of the cold war has come the need to find new justifications for the continued retention of Federally-held lands. To this end, the United States Department of Defense, as a guise under which to promote the continuation of colonial agendas, has begun to proffer an image of "environmental enlightenment". As if by original design, the historical retention of large tracts of land is to now be credited for protecting and preserving that land in its natural state. As the self-proclaimed "stewards of Chamorro land", the United States is now determined to continue its mission of protecting Guam's environment from its people.

Federal policies mandate the establishment of critical habitats and/or wildlife refuges for the protection of endangered species. Towards this end, the Federal Government of the United States has now unilaterally declared approximately 21,000 acres of our lands currently held by it - the declaration also affects some civilian lands - as a United States Wildlife Refuge. Ironically, or perhaps conveniently, though they are protected from Chamorros in the interests of environmental conservation, the United States Department of Defense reserves the right to utilize the refuge lands for national defence interests, as required.

The question is: are Guam's land use policies to be based upon a compatible balance between environmental preservation, the sustainable yield of our resources and the social and economic aspirations of our island community, or are they to be unilaterally imposed via the arbitrary application of Washington's agendas? Is the Federal Government alone capable of protecting Guam's remaining flora and fauna, the balance of which was destroyed by that same Government? It is our position that any such unilateral designation is contrary to the intent of Article 73 of the Charter.

Local efforts towards land recovery are handicapped by Federal policies that provide excuses behind which Federal officials hide. Unwilling to reconsider its mission in the light of unjust or unique circumstances, the United States Federal bureaucratic momentum continues of its own accord.

The execution of Federal policy relative to "surplus" lands falls within the purview of the United States General Services Administration (GSA). As Federally-held lands on Guam potentially become available for release, GSA policy dictates the terms and conditions of disposal. Unfortunately, United States law, ignoring the rights of the Chamorro people of Guam, gives preference to other Federal agencies, in order that these agencies might utilize the lands in the promotion of Federal agendas. No consideration is given to the fact that almost all Federal lands currently held on Guam were taken from Chamorros without legitimate due process and under circumstances that were in violation of both United States laws and Article 73 of the Charter.

When objections are raised by Chamorros, GSA cites recent United States law as a justification for the continuation of current policy. Carefully ignoring a history of United States laws that failed to protect the rights of due process for Chamorros, GSA is now able to reference laws that succeed in protecting Federal interests. Also ignored is the fact that Federal land release policies have been changed on numerous occasions over the past 50 years. In lieu of land, Chamorros received only Federal sympathy and heartfelt assurances that if the Government could return the land it would, but it cannot because of the law. The law is fluid when applied to United States agendas, but frozen solid regarding any beneficial application in the interest of the Chamorro people.

Today, in 1994, the United States military actually utilizes less than 12,000 of the more than 44,000 acres currently held. At no time have United States land requirements exceeded current usage, not even during the Korean and Viet Nam wars. The appropriation of land far in excess of actual requirements is the major cause of Guam's current land shortage. The continuing failure to

release surplus lands is crippling local efforts to address the land needs of our civilian community.

The legitimate distrust felt by Chamorros and by Guam's elected leadership regarding the willingness of the United States to represent our interests fairly is not without cause. There are numerous, well-documented examples of lands taken by the Federal Government and subsequently left idle or utilized for purposes that were not beneficial to the original owners, their heirs or the Chamorro people in general.

Historically excluded from the decision-making process, we are collectively hesitant to entrust the fate of our lands - and thereby our futures - to the good will and fiduciary conscience of the United States. It is difficult to trust when we are experiencing the unfeeling application of colonial policy without due regard to our history or to commitments made pursuant to Article 73 of the Charter.

Guam's political leaders are attempting to resolve this complicated situation. Unfortunately, their efforts are hampered by colonial structures that severely restrict their ability to enact equitable solutions. Despite claims to the contrary, United States laws are the main impediment.

Endangered species, various United States Federal instrumentalities and even homeless people on the United States mainland, 8,000 miles away, take priority over the Chamorro people. The utter disparity of this situation lies in the fact that the lands in question have been obtained from one distinct group - the Chamorro people. The Special Committee cannot allow the tragedies of our colonial history to continue to keep us from taking full advantage of opportunities yet available.

In our opinion, the first order of business must be the timely creation of programmes, sanctioned by enforceable law, which will allow the Government of Guam to pursue corrective and equitable solutions. Further, said laws must recognize the rights and history of the Chamorro people and, from that perspective, be designed to counter the effects of our displacement and current circumstances. These laws must not only be conducive to our development; they must contain protective structures and provisions which prevent unilateral policy changes by the United States.

It is the stated position of the Guam Landowners Association that the remedies enacted by United States law and policy to date have failed adequately to redress the land-takings; nor, in consideration of commitments made pursuant to Article 73, could any legitimate justification be rendered by the administering Power for its conduct and breach of its fiduciary trust. In this light, our claims of interest in the resources and rights of our people, the Chamorros, continues.

A significant step towards a solution lies within the proposed Guam Commonwealth Act. The ultimate protection, however, lies with the legitimate exercise of Chamorro self-determination and the subsequent structuring of a political status conducive to our cultural survival and entry into the modern world in our own right.

The petitioner withdrew.

At the invitation of the Chairman, Mrs. Rios Guahan (Guam) (Landowners United) took a place at the petitioners' table.

The Chairman *(interpretation from Spanish)*: I call on Mrs. Rios.

Mrs. Rios: I thank the Committee for providing the Guahan Landowners United, Inc., the opportunity to give testimony today concerning land issues on Guam and how they are intrinsically connected to the absence of political self-determination in this unincorporated United States Territory.

My name is Marianne Rios. I am married to one of Guam's native sons, Albert Rios, a landowner and claimant to recently accessed federal lands. I am honoured and proud to deliver this testimony today on behalf of the 50-plus family clan members of our organization, each clan comprised of as few as 15 in a family to as many as 150 heirs. My testimony is also in honour of my father-in-law, Jose L. G. Rios, a long-time educator in Guam, and my mother-in-law, Antonia Duenas Rios, who, to the day they died, believed that "one day soon" their confiscated, condemned and uncompensated Guam Naval Air Station land would be returned to them.

I am German by birth and upbringing, American by choice and a Chamorro by love - love for a people who have given me their friendship and love for the 36 years I have known them. It is the belief of Guahan Landowners United that the self-determination of the Chamorro people is rooted in the Chamorro's control of their land, private and public. As long as Guam - some 6,000 miles away from the United States mainland, without statehood, without a vote for the presidency of the United States - is forced to obey federal laws before being able to follow its

local laws, it is not a self-determining island but a mere colony of the United States, and consequently has lost control of its own lands and over local land policies and politics. The first item on the agenda of a colonizer is to immobilize and disenfranchise his conquered subjects by taking and/or regulating private and public property. This is exactly what the United States did when it arrived on Guam's shores on its military mission in 1944, understandably and justifiably, in the name of defence. But the war has been over for 50 years.

At present, all the indigenous people of Guam have the status of United States citizens, unilaterally bestowed upon them via the Organic Act, signed by President Truman in 1950, without the exercise of democratic due process, that is, the voted consent of the indigenous inhabitants of the island. As citizens of an unincorporated Territory, they do not have a vote in presidential elections, nor does their one and only congressional representative have a decisive vote in congressional legislation.

Guam land disputes, therefore, are about resolving conflicting interests in land; about property rights and duties; about civil rights as Americans understand them; and about the enforcement of contract law as practised in the United States. It is a dispute arising from the question of the fiduciary responsibility of a strong conquering nation versus a weaker, smaller island nation. It is a story of disenfranchising an entire people, stripping them of what has always been dearest and most valuable to them.

The Second World War in the Pacific and the American re-occupation of Guam in 1944 greatly upset the land-tenure system with the condemnation of more than 4,000 of the more than 5,000 private land lots on record at the time, including every single large, well-cultivated plantation tract. Four fifths of the land of the island was condemned by the American military authorities, which was 80 per cent of all land and 100 per cent of all submerged land off Guam's shores. In view of the plain and now undisputed historical fact that the lands of Chamorro landowners were never restored and the entire way of life those lands once supported was snatched forever from them, the story of former Guam landowners can only be a story told with compassion, great sensitivity, and even reverence for a once viable, self-sufficient agrarian community found innocent of any provocation leading to the cruel hostility, war, death, destruction and wholesale disinheritance that became their post-war fate.

Guam's war epic is an equally heartbreaking and inspirational account of innocent victims of unspeakable inhumanity who survived against all odds. One cannot possibly tell this story and not be profoundly touched by the courage, sacrifices, patriotism and the awful shame this story's final chapters reflect on those in authority who held the land resources under their power but ignored and refused to heal the deep wound landlessness caused over the past 40 years.

This war wound is serious, for it covers the entire body of this community, continuing untreated despite the pain, disabling us even now and slowly erupting into uncontrollable proportions of disenchantment with the mother country, the United States.

Most American Navy dependants were evacuated from Guam before the Japanese invaded the island on 8 December 1941, quickly overwhelming the few naval personnel and the lonely, but nevertheless courageous, Chamorro defence. Two and a half years of Japanese occupation passed before Guam was again consumed by battles to the death.

As a result of two major Powers fighting over an island which represented for each of them a strategic advantage and a military outpost, all major pre-war villages were destroyed. Thousands of Chamorros, surrounded by abandoned Japanese machine-gun nests, followed their American liberators in a long parade out of the death valley of Manenggon to the coastal areas. They were true believers, willing to give away anything and everything in return for their lives just spared. Many lost their lives, and most of them lost all their belongings. For most there were no homes standing in villages to return to. Their farms were declared off-limits. Only the fruits of war were allowed to grow, and before hostilities ceased, more than three fourths of Guam's land area was zoned off limits for its civilian owners by the military of the United States Government.

Criminal penalties, including the threat of death itself, were enforced to restrict civilian entry into ancestral lands and lands previously owned or leased and farmed. The United States military managed all civil affairs. The market for real property was completely closed but eventually reopened in a limited way under complete martial-law price and transaction control. No money circulated; only a tightly controlled military scrip was eventually introduced. Bank deposits remained frozen, and bank services, including all real-estate lending services, remained curtailed. Aggressive military Government actions were taken to suppress consumer demand and restrict land needed to raise crops. No civilian land

surveyors, land appraisers or lawyers could be found, such professionals being discouraged by military entry and exit controls. All leaseholds were cancelled, and the land-lease programmes were closed down.

By force of regulation, the United States military Government of Guam successfully campaigned against postwar "inflation", or land value appreciation, at the expense of private landowners. Land use and market controls were imposed, giving the beneficial effects to the enforcers, thereby reducing the Government's cost of private lands selected for condemnation, until its land acquisition programme, requisite for large-scale military-base development, was concluded. The condemner profited from his unreasonable precondemnation regulations. Federal Government appropriation for land acquisition could be kept small, but a huge area of land could still be taken none the less.

Those post-war actions by the naval Government constitute a classic example of macroeconomic duress, inflicting great and wrongful harm upon the economic interests of an already war-torn and beleaguered indigenous people whose recourse to either political representation or independent judicial protection at the time was nil. Hundreds of records show that unjust monetary compensation was paid to displaced owners by reason of economic duress and unconscionable precondemnation actions by the federal Government from which it later profited through the decreased cost of the land. And it was in this war-torn, martial-law-ruled, stratocratic state of abnormality that four fifths of all private lots of Guam land were condemned for military use in military courts where the judges' decisions were taken in their private chambers without interference from defendants, juries, trials or independent opinions on value, lot size and lot features. There were no disputes. Land was taken. United States military bases were then built.

Confidential records released just recently - as recently as 1989 - show now that more land was taken than was needed for military operations to make sure that once authorized military needs were met, enough lands would be left over - excess lands - to assure the success of a land transfer, land exchange, land replacement or land resettlement programme designed and authorized by the United States Congress for the express benefit of landowners being displaced by military operations planned for Guam. United States Public Law number 225 of 15 November 1945 proves that such a plan did exist.

With respect to the charge that the United States underpaid, it did; and the secret history described above confirms that it did so knowingly, but instead of working as its alternate plan, it ended up in archives, stamped "top secret". The United States knew it could not fairly restore the Guamanian estate it had taken by force from war-ravaged people living in a war-torn place by paying money. So the United States officials at that time decided to put just compensation on an in-kind basis.

The United States deliberately built its post-war land inventory level up to approximately 80,000 acres - equivalent to one third of the island - so that it could keep roughly 40,000 acres for future military use and return the remaining 35,000 acres to Guam people thus displaced.

To accomplish the exchange deed programme, a condemnation process, based upon a uniform appraisal formula, was designed and implemented. Suffice it to say that, unfortunately, the contemplated land-transfer programme failed to materialize, and suburban and agrarian lands were never offered to the former landowners, as expected, for this purpose.

Thus, the original bargain was only partially fulfilled, and a great injustice was perceived by the war-torn and displaced people who were, in the end, offered only nominal money compensation, and in some cases none at all, instead of the promised land they had reasonably been expecting in exchange. The failure to conclude land transfers as planned explains why former landowners once felt so strongly motivated to pursue damages claims and why they continue to protest still today, and it clearly shows why so much surplus Guam acreage and lands, long since declared excess to military needs, remain in military hands today.

Maria Torres Franquez, who is Ron Teehan's grandmother, was a claimant for Lot number 317AT, and she stated under oath in the land-claims cases something that could stand as a memorial to all the displaced victims of the war, and later to their heirs. She said,

> "We were told that the United States would give the land back when they didn't need it any more, and this is why I 'agreed' to the price offered. We were never offered the benefit or opportunity of buying replacement land."

The political unrest over land matters which had built up in Guam while expatriate Interior Department functionaries neglected their land-transfer and homestead-

programme duties exploded once Guam's residents were empowered to elect their own Governor and Delegate to the United States Congress.

Because the confidential files had not yet been opened to the public, a push to recover just monetary compensation began, and the United States Congress responded by enacting a Land Claims Bill to guide the process.

After more than 15 years of bitter litigation and expenditure of well over $40 million for litigation expenses and settlements, the congressionally authorized cases were inconclusively closed.

Many landowners knew that land was supposed to be given to them, and they declined the monetary awards. To this day they are still waiting for the promised land. The litigations were a side-show, which did not lead to the promised land and therefore did not solve the problem.

But the land claims case did succeed in something entirely unexpected: it pierced the veil of secrecy that had obstructed justice and exposed the factual basis upon which a full, fair and equitable land reform programme can be built once again.

Although the administering Power believes that the land question on Guam was settled after the Second World War, the jury has yet to return a just verdict on Guam's land history. Why? In addition to the lack of historians, two important reasons stand out now.

First, United States Navy real estate records of numerous post-war land acquisitions were stored out of sight, many of them listed under top secret national security classifications at the time of the cases. The indigenous people of Guam, from whom the lands were taken, could not, and did not, know all that was kept secret from them - which was a lot.

Secondly, through the Guam Land Claims Cases, which were litigated with the Federal Government between 1974 and 1991, Guam's land history was actually dragged, stripped-down, into court, then flogged by opponents heatedly in dispute, all without the input of the landowners, from whom the lands were originally taken. Their rights to have their property returned or to receive just compensation, as every American citizen is so ardently assured of by the Fifth Amendment to the United States Constitution, were ignored and violated. As a result of these cases' being settled in 1991 before they went to trial, unilaterally agreed to by lawyers who had their private agenda, history itself was left unsettled. The land claimants have now united once more to fight the great injustices, and Guahan Landowners United play a significant role in the education and representation process of the claimants.

The skeletons of those who saw their duty clearly, but later shirked their responsibility to the displaced land owners who came before them, are also buried within our history's grave. Because the Guam land history has been discovered, is in the process of being preserved and will some day be professionally developed, the truth in time will clear our vision so that we may set our sights squarely upon the reforms we must now help establish. Because this work remains undone, a number of unlikely protesters have appeared: solid, otherwise law-abiding citizens, whose plight has not been well understood or given much official public or official governmental sympathy. Not only is there the call of "Give us our land back", but we are hearing rumbles of "Independence now".

There are the Artero clan, who are locked out of their own property, for which they dutifully pay taxes every year, first to the Department of Defense and now, conveniently, the Department of Fish and Wildlife. There are the Eclaveas, the Ulluas and the Garridos, who, with other non-profits, have to share "temporary" use of their own lands, lands which were to be passed down from generation to generation, excess lands which have not been used by the military for over 40 years. What will happen to them once the congressional Bill HR 2144 turns these lands over to the Government of Guam, with outlandish stipulations, such as "for public use only"? There are the Ritidian Point families, who have taken on the Federal Government singlehandedly in the courts, to gain use and access to lands for which access had been legally granted but never given by the military in over 40 years. They are expected to swim to the shore when the tide is low. And then there are the many families who did not even participate in the class-action suits, because they had never given up hope of some day getting their land back. One of them is my in-laws, the Rios family.

And so the protests multiply. Fences are being jumped and papayas are being planted on land which may still be highly contaminated, not having been cleaned by the Federal Government in the past 50 years. These protests cannot be neglected, for they will be aggravated by all sorts of things until resolved. I know personally of people who have conditional use of excess lands presently and who threaten that they will never let anyone evict them from their rightful inheritance, their mother's or father's legacy. The circle of discontent is growing rapidly larger in our

community and is not confined to past land-claim issues. More and more the political status of the island moves to the forefront, with the Federal Government's ignoring the island's quest for Commonwealth; the Federal Government's denial of return of future excess lands to the original owners; the recent designation of excess lands to the United States Fish and Wildlife Service, a designation of almost 30,000 acres, what the Guam land claimants conceive as a clever federal intergovernmental deal and ploy, assuring the military's future use of the land in case of national emergency - or perhaps we do not have to clean up for that brown tree snake. Another matter is the return of excess lands through channels which allow the Federal Government to make land like the Naval Air Station first available to non-profits and the highest commercial bidder.

More discontent is spreading rapidly about the ever-increasing population caused by federal immigration pressures. Immigration to Guam is controlled by federal laws and is rapidly overcrowding the island and overtaxing its social systems. It appears that the indigenous people of Guam will soon be the endangered species in their own homeland. The imminent disposal of excess federal lands in United States Congressional Bill HR 2144, with the federal stipulation "for public use only", has many landowners, whose lands come under that Bill, worried and in anguish.

This is not, nor has it ever been, about money. Money could not solve the problem then, did not solve it when it went to court, and will not solve it now. This is all about dimly recalled but strongly felt property rights gone unenforced until they slipped into the mist of time, leaving only public protest and frustration to fill the vacant space.

This is all about domestic violence, such as child and spouse abuse, crowded living conditions, rising crime, increased community stress and indigenous, human endangerment. One will not find the homeless on the streets of Guam. Chamorros take care of their own. However, what a price they pay! Chamorro families now live three generations together under one roof, most of them with only one bathroom.

At its most fundamental, this is also about power, economics and politics, and questions like whether local people keep control of their homeland or eventually take to the streets and resort to violence against "intruders", as Jewish settlers in Palestine and white settlers all over Africa did. Those questions are now considered and openly discussed on Guam.

No one's property rights in Guam or in America will be secure until those of Guam's displaced post-war land owners and their heirs have been restored. The land issues in Guam must be settled. The Federal Government is ignoring the island in its quest for commonwealth. The time has come for the island to take its fate and Chamorro self-determination into its own hands, perhaps via some sort of Free Association status with the United States. In the many attempts through the Department of Defense, the Department of the Interior and even through the courts we have failed so far to achieve a just solution to the land claims, and probably will never come to a just solution under the present colonial system. The Commonwealth Act was to be the first stepping stone in gaining more independence, eventually leading some day to self-determination. But the Commonwealth Act has gone sour. It seems to be more and more a dead item in the political arena, where the Federal Government is playing hide and seek with the island of Guam. it is evident that we cannot wait any longer for the Federal Government to make up its mind.

We must move forward economically, instead of being stifled by unjust trade and shipping laws; we must secure our island borders from uninhibited immigration numbers and the crowding of our overused social systems; and we must become economically viable by taking charge again of our own land, land that if given back to the rightful original owners will generate more economic independence for the Chamorro people and certainly will generate more tax dollars. This would also decrease the need for the administering Power's food-stamp programme. We must determine our own political and economic direction, develop our own land-use policies and control our own immigration. This goal we must achieve with or without the blessings of the Federal Government.

With the help of this Committee, we hope to reach those goals. Clearly, the United States has violated pertinent United Nations resolutions regarding the Non-Self-Governing Territory of Guam. Guam is tired of being only a strategic military outpost of the United States. It is not enough for the United States dutifully to report annually to the United Nations about the steps it is taking to bring its non-self-governing possession of Guam to self-government or independence, according to Article 73 of the Charter. They have been duplicating that report blindly year after year, without changing it. Their next report should finally have as its theme "Mission accomplished", and should thus be their last report to the United Nations.

We ask the Committee to send a fact-finding mission to the island to investigate the present political, economic and social relationship of the Federal Government with the island of Guam, with particular emphasis on political status and the prevailing land claims issues. Should members come to the island, they would find a very hospitable and gentle people, well educated by their colonizers, ready to create their own political, economic and social reality on their island. We want this message to go out to the world: Before the United States intervenes in the cleansing of everyone else's back yard, let it sweep its own first. There is nothing unpatriotic about a request such as ours here in front of this Committee. There are no more patriotic Americans than Chamorros. It is sad that we must remind the United States about its responsibilities and the treaties and articles of the United Nations, by which it has agreed to live and deal, and which it has ignored for so many years.

The issue of our political status must be faced and dealt with, and Guam land issues must once again become local, and not be dictated by the Federal Government.

The Chairman *(interpretation from Spanish):* I thank Mrs. Rios for her wide-ranging, detailed information, which has helped the Committee understand the vital issue of land ownership. Her information will be taken into consideration when the Committee takes a decision on the question of Guam.

The petitioner withdrew.

At the invitation of the Chairman, Mr. Tony Artero took a place at the petitioners' table.

The Chairman *(interpretation from Spanish):* I call on Mr. Artero.

Mr. Artero: I am Tony Artero from the small island of Guam, where our people have been held hostage by superior plundering nations since the invention of the ship. We, the people on the island of Guam, United States of America, are very rich in history, suffering, and bravery, having fought for freedom for centuries. As a people, we are also grateful; we showed unquestionable loyalty to America, the self-proclaimed champion of freedom, throughout the extremely long three years of Japanese occupation during the Second World War.

However, if there is one American democracy plan that went awry, it would have to be Guam. Like little David against Goliath, Guam has always been relentless in its struggle for freedom, since the first visit of superior Powers, but it accepted and defended Goliath: the United States. The irony is that Americans in the United States are ignorant about Guam. The majority do not even know where Guam is on the globe. To make matters worse, our perception is that our red-blooded American spirit and our struggle for political and economic freedom are suppressed by the total arrogance of the big and powerful United States Federal Government.

History has also shown us that this is also true of the actions of our local government officials over the past several decades. Government officials, local and national, have capitalized on the disorder, leaving the grass-roots citizens - the Chamorros - out of the political and economic process. Guam is the only place on Earth where the war crimes of the Second World War - of both sides, Japan and America - are intentionally treated as nonexistent and where the sacrifice of lives and property for freedom remains thankless. Bad seeds were planted instead, and the ugly crop is being harvested now. This historic wrong should and must be rectified.

I feel privileged to relate to the Committee a personal story. In 1972, while actively serving in the navy, I was fortunate to be accepted into a two-year college programme. My first division officer started me out, as she put it, "on the right foot". My declared major became real estate. Three semesters later, a regular line officer took over as division officer. He summoned me upon learning that I was a qualified submariner. His question was simply, "Since when does the navy deal with real estate out in the middle of the ocean?". My response was, "Sir, I am from the island of Guam, and Guam is in the middle of the Pacific Ocean. When the United States navy reoccupied Guam in World War II, the navy took all of my grandfather's property by force, without just compensation, and extinguished our livelihood. Now, I am in the navy studying real estate, because I want to learn how to get it all back to reestablish the economic base of my family and the island".

I retired from active duty in 1979, but to this day our land dispute remains while we pay taxes regularly. Many other families are in similar predicament with their ancestral lands on Guam. At present, we have a Government that is unaffordable, making a mockery of democracy, full of conflicts and social injustices, which creates alarming tension.

Guam was never liberated by America during the Second World War. It would be the excitement of the

century for Chamorros, Chamorus, Chamaules, Guamanians and Americans on Guam and worldwide if America launched a programme to decolonize and truly liberate the island of Guam, even if it were 50 years after the fact. I know that, with the intervention of your Committee, this could happen, for a much better world.

As for the new world economic order, we know that each military base closure opens up a new and brighter economic future. However, please be advised that this is not happening with us on Guam. The Government officials' priority is wildlife, over the vital economic needs of human beings.

The military, national and local Government officials on Guam, for selfish reasons, have eroded freedom, blatantly violated private-property rights and virtually extinguished the productivity of the island in favour of servitude. Instead of taking seriously their duty and obligation to serve the Chamorus as they had sworn to, and particularly with respect to the provisions of Public Law 224 and 225 - namely, to return unused lands to the people, grant them viable use of that property and make them economically independent - Government officials have subverted the will of the people. They have wasted, abused and polluted the island, subjecting the indigenous people to governmental handouts such as food stamps and welfare programmes, making a total mockery of democracy and subversively handing over excess lands literally to the birds by way of a gigantic wildlife habitat covering nearly a third of the island - for birds, I would recall, that are already extinct on this island because of 50 years of arrogance, corruption, waste, abuse and pollution.

As I present this testimony, the Navy on Guam, motivated by military downsizing, is building a restaurant outside its fence to enhance its profits. To make matters worse, it is building that restaurant on disputed land: the land of my grandfather, which is rightfully the Artero clan's inheritance. Furthermore, the Navy on Guam is going on record as being in competition with the private sector, in total opposition to the principles of democracy and freedom. Obviously, their arrogance, born of power, has prevented them from seeing that such an action is wrong and counterproductive - and so more bad seeds continue to be sowed.

The situation in Guam is indeed America's best-kept dumb, ugly and dirty secret. What is happening on Guam also makes a mockery of those who made the ultimate sacrifice for the peace that we are rather gingerly maintaining today - gingerly, because of the greed of this Government of the few, by the few, for the few. Granted, some people agree with this big, unaccountable, negligent and inefficient Government because of employment. We may be at peace today, but as Franklin Roosevelt once said, "We must remember that any oppression, any injustice, any hatred is a wedge designed to attack our civilization". It would be very nice if the deliberations of this public hearing were broadcast live on CNN for all the world to see and hear. Perhaps Guam would then get the attention it has long deserved.

All things considered, respect for the land should be the basis for everything in our lives. After all, underneath all lies the land. If the island of Guam were not here, there would be no issue. As Thomas Jefferson once said, "To give up a little liberty for a little security will probably lose both and deserve neither".

Yes, I know that real estate is political. However, one does not need a college degree to understand the virtues, strength and efficacy of property rights. This is as simple as it is fundamental - call it economic intuition. Property rights have been indivisible from liberty and freedom since the days of the caveman. Private-property rights make for a vibrant, open economy - the efficient engine of democracy. History has forced Russia and others to abandon communism in favour of the individual's right and ability to be self-reliant. Indeed, one can be self-reliant and upwardly mobile economically, for the betterment of the community and the nation, through the freedom to own, use and transfer property.

Because of the blatant violation of our property rights, the present plan of the United States to launch a "double-barrelled" celebration, with bells ringing around the world, for the fiftieth anniversary of the ending of the Second World War would be preposterous for us on Guam.

As we on Guam perceive it, after evaluating the roles of the Department of the Interior - they just want to keep their jobs; the Congress and Senate - we are not their constituents, so they could not care less; the Department of Defense - they are concerned about their budget because of the military downsizing; and the Government of Guam, with its lone congressional representative, who can vote only if he doesn't break a tie, we conclude that the only recourse we have is this Committee. We look to it to set the pace and the tone to return Guam to the fundamentals, for private property rights to be restored, and for freedom to be allowed to flourish. Only then can Guam return to self-sufficiency.

In an orchestrated fashion, career public officials have continued to use new governmental regulations to cover up wrongs so that the few in power will remain in power, capitalizing politically and financially on the disorder. They have essentially failed the people miserably.

The indigenous Chamorus have very close ties to their birthright, the land of their forefathers, and they are not going to give up until justice is served. The United Nations seems to be our only hope before blood is shed. I respectfully ask you, Mr. Chairman, and the members of this Committee to please do everything in your power to ensure the speedy granting of freedom, liberty and justice to all on Guam.

Included with my testimony are copies of my advertisement concerning the Urunao beach property which appeared in the *Pacific Daily News* on Independence Day, 4 July 1994, and a copy of the *Island Insights 1994* article entitled "Concepts for a Comprehensive Solution".

The Chairman (*interpretation from Spanish*): Does any member of the Committee wish to comment?

Mr. Ardhaoui (Tunisia), Chairman of the Subcommittee on Small Territories, Petitions, Information and Assistance (*interpretation from French*): As we are just finishing hearing the petitioners with regard to Guam, I should like to say a few words, as Chairman of the Subcommittee, before we hear the petitioner with regard to the United States Virgin Islands. This morning we received a great deal of information about the situation in various Territories with which we are concerned. This information should not be lost. My colleague from Mali suggested this morning that the statements made during that meeting should be distributed. That is a good idea, but it is not enough. When we start to study a Territory in the Subcommittee we usually do so on the basis of documents prepared - in great detail - by the Secretariat and distributed by the Secretariat, sometimes supplemented by information that we obtain from various other sources. The documents prepared by the Secretariat provide geographical and historical information and information gathered from the international press. There is also information - fragmentary - furnished by the administering Powers to the Secretariat, as well as the texts of statements by people bearing responsibility, members of the local Governments and representatives of the administering Power. But only rarely do we find petitioners' statements reproduced.

Today we heard the truth ring out, and, if we are to be consistent, it should be translated into our documents. Somebody spoke about the spilling of blood. That is very dramatic, but our role is to take the drama out of things and foster dialogue. That means listening to everyone, the administering Power as well as the petitioners. Therefore, I suggest that the documents for our next session, in 1995, should include paragraphs from the statements made by petitioners today. I believe this to be very important.

The Chairman (*interpretation from Spanish*): I should like to take the opportunity given by what the representative of Tunisia has just said, which is a follow-up to the proposal made by the representative of Mali this morning, to say that it is my impression that the statements made by the petitioners today, particularly with regard to Guam, provide a great deal of information about the situation of the population. That is why I fully support the proposal made by the representative of Tunisia, just as I supported the proposal made by the representative of Mali this morning, that we should have available to us in our work and deliberations, including the consideration of proposals for submission to the General Assembly, the direct, clear - and, indeed, emotive - statements made today by the representatives of Guam. We support the proposal, and we shall have to discuss in the Committee later how these ideas can be developed. We entirely endorse the statement and proposal made by the representative of Tunisia.

Mr. Pursoo (Grenada): I wish to add my voice in support of the call made by the representative of Tunisia. I should like to see the statements synthesized by the Secretariat and redistributed some time next year when we begin to study the small Territories concerned. It is usually very frustrating when small Territories, particularly small islands, have problems, because it is so difficult to get our voice heard in the halls where it really matters and by the people in a position to make decisions affecting the lives of the people concerned. So every bit of information we can garner we should obtain, and keep it in our records so that we may study the situations there more thoroughly.

I should like to put a question to Mr. Artero. If I understood him correctly, the United States navy is building a restaurant on property owned by his family. I should like him to speak about that, because I am not sure that I understood clearly.

Mr. Artero: The land where the navy is building a restaurant is on a property they acquired by force after the Second World War. To this day, there has been no just compensation for that property. What they did was fence a portion of the property in the main area where the

military installation is situated; part of the property they took was never fenced at all: it is just out in the open, but it is still considered a military reservation. They put up signs that it is Government property and that no one should trespass on it.

The portion that is outside the fence, fronting one of the major highways on Guam, is where they are building a restaurant so that they can capitalize on the community that has blossomed in that area over the years. The profit they are going to get from operating that restaurant outside the fence is going to accrue to the morale and welfare funds of the men and women in uniform. All this is well and good, but they should not be doing it outside the fence, because they are competing directly with the private sector. We know of restaurants inside the fence, and that is perfectly okay with us, but building one outside the fence puts us in double jeopardy, so to speak: they took our land, then on the unused portion of the land they took they want to go into business to compete against us, who must build on the remainder of the land that is left to us, which is very small and very expensive. I think I make myself clear.

Mr. Pursoo (Grenada): Am I to understand that this restaurant will be open to serve the general public?

Mr. Artero: That is the ulterior motive. That is why they want to build it there: because they want to generate money for themselves. It was not the design of the founding fathers of the United States of America for its own Department of Defense to compete against the taxpayers, who fund the Department of Defense.

Mr. Pursoo (Grenada): Is there any other instance of the navy or any other branch of the United States military owning any such operation in Guam, whether it be a restaurant or a store or anything that is open to the public outside the military bases?

Mr. Artero: None that I know of; I do not think there are any. This is the first one they are trying to build.

The Chairman *(interpretation from Spanish):* I thank Mr. Artero for the information he furnished to the Committee. The Committee will continue to work with the representatives of the people of Guam.

The petitioner withdrew.

The Chairman *(interpretation from Spanish):* In accordance with a decision taken at this morning's meeting, the Committee will now hear a statement by Mr. Corbin, representative of the Governor of the United States Virgin Islands.

At the invitation of the Chairman, Mr. Corbin took a place at the Committee table.

The Chairman *(interpretation from Spanish):* I call on Mr. Corbin.

Mr. Corbin: On behalf of Governor Alexander A. Farrelly, the fourth elected Governor of the United States Virgin Islands, I wish to thank the Committee for this opportunity to present the statement of my Government. I also wish to extend our welcome to the new Secretary of the Committee.

As we did not participate in the deliberations of the Subcommittee this year, we wish to congratulate its Chairman and its members on their adoption of the report on the 10 small Territories. I wish to comment on several of the issues in that report, and offer several recommendations that we feel would serve to clarify and update existing language.

Before proceeding, I wish to congratulate the representative of the United Nations Association of the Virgin Islands, who spoke this morning and gave an eloquent presentation on some of the issues contributing to the inconclusive result of our political-status referendum, held last autumn. We wish also to congratulate our colleagues from the Government of Guam and the representatives of non-governmental organizations, who have made important contributions to the proceedings.

Regarding the report of the Subcommittee, we note the continued reference to the relevance of resolutions 1514 (XV) and 1541 (XV), and the recognition of the need to ensure the full and speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Those are important elements, which my Government has consistently supported. As recently as 24 May this year, Governor Farrelly, in testimony before the Congress of the United States, recognized the significance of the International Decade for the Eradication of Colonialism and the relevance and relationship of the Decade to the remaining Non-Self-Governing Territories. In that connection, my Government agrees with the long-standing inclusion of language in the Subcommittee report calling upon administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the

possibilities open to them in the exercise of their right to self-determination in conformity with the legitimate political-status options clearly defined in General Assembly resolution 1541 (XV).

In an address before a conference on future relations between the Administering Authority and the Territories under its administration, held at Washington, D.C., last May, Governor Farrelly observed that the conference had come at a particularly strategic time in the continuum of political and constitutional development of the non-independent Territories, most of which are in the Caribbean and Pacific regions, as we advance towards the half-way point in the Decade, and as we approach the target date of the year 2000 designated by the international community for the self-determination process to be completed. The Governor indicated that that process had been steadily accelerating since the ratification of the United Nations Charter - with the successful decolonization of over 80 Territories since the Second World War consistent with the spirit of Articles 1 and 73 of the United Nations Charter, along with long-standing resolutions adopted in the course of over four decades, focusing on the socio-economic, political and constitutional development of our Territories.

The Governor went on to indicate that there had been consistent support on the part of our Government for recognition of the significance and relevance of international law and principles contained in the United Nations Charter and in United Nations resolutions.

It is important to note that my Government has consistently supported these principles, principles we have consistently articulated before this Committee and its Subcommittee, and before the Fourth Committee, since our Government took office in 1987. Previous elected Governments of our Territory expressed similar positions before the Committee as long ago as 1975.

In this connection, our Government wishes to thank the member Governments of the Caribbean Community for their approval, at the twentieth meeting of the Standing Committee of Ministers Responsible for Foreign Affairs, held in Belize in May 1994, of a very strong provision on decolonization that encourages the United Nations Special Committee of 24 to continue its mandate with respect to the decolonization process.

Having made these points, we wish to express our support for provisions in the Subcommittee report that acknowledge the need for economic stability and diversification in the Territories and the vulnerability of our Territories to natural disasters. In the case of natural disasters, we would advise that language in the Subcommittee report referring to natural disasters and environmental degradation include references to the relevant provisions of three important international initiatives as they relate to our Territories. The first such initiative is the Programme of Action of the World Conference on Natural Disaster Reduction, held in May 1994 in Yokohama, Japan. The second such initiative is the mandate of Agenda 21 of the International Conference on Environment and Development, held in June 1993. The third is the Programme of Action of the Global Conference on the Sustainable Development of Small Island Developing States, held in Barbados in April this year.

It is important that the linkage between these important world Conferences and the socio-economic development of our Territories be recognized and reinforced, and that our Territories be permitted to participate fully in the programmes and activities emanating from these Conferences. The development of our Territories cannot take place in isolation from these global initiatives, and the General Assembly and the Economic and Social Council have repeatedly supported the relevance of participation by Non-Self-Governing Territories in United Nations technical programmes.

My Government also wishes to endorse the language in the Subcommittee report which speaks to the usefulness of the participation of representatives of the Territories in the work of the Special Committee. We wish to add a reference to the effect that this usefulness could be enhanced if the guidelines established for this purpose are actively enforced, which would provide an opportunity for even more representatives of Non-Self-Governing Territories to participate in the Committee's work.

We also take note of the inclusion in the report of the importance of referendums and other forms of popular consultation on the future status of the Territories as an appropriate means of ascertaining the wishes of the peoples. As a matter of inquiry, we seek clarification on this reference, since the United Nations has always spoken of the primacy of what is termed "a legitimate act of self-determination". What then is the relationship between such popular consultations and a legitimate act of self-determination? This is a longstanding question which we have yet to have clarified, and this issue became a significant factor in the inconclusive result of our political-status referendum held last year, as was intimated this morning by the representative of the non-governmental organization from the United States Virgin Islands.

With respect to provisions of the report on the contribution to the development of Territories by the specialized agencies and other organizations of the United Nations system, we recommend that the United Nations regional economic commissions be specifically mentioned for their consistent work in inclusion of the Territories as associate members and in inclusion of these Territories in their work programmes at a level exceeding most United Nations bodies. In this respect, specific reference and mention should be made of the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, both of which have several Non-Self-Governing Territories as associate members.

My Government expresses its support for the continued incorporation of provisions in the report that reaffirm the responsibility of the respective Administering Authorities under the Charter to protect the economic and social development and to preserve the cultural identity of the Territories. In the case of cultural development, reference might be made in the report to the relevance of the activities of the World Decade for Cultural Development, which have not yet been made available to most of our Territories.

Reference is also made in the report to the protection and conservation of the environment and the call for the specialized agencies to monitor environmental conditions in the Territories and for the agencies to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of the Territories. In this connection, the Committee may wish to forward to the specialized agencies concerned a copy of this report and of previous reports, drawing the attention of these agencies to the relevance of these resolutions with the aim of including the Territories in their programmes of work.

A particular provision contained in the Subcommittee report requires a bit of updating. Particular language calls for the specialized agencies in formulating their assistance programmes to take due account of a 1990 text entitled "Challenges and opportunities: a strategic framework". Adopted unanimously by the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations in 1990, this text has long since been superseded by subsequent events, the most recent of which was the approval of the Programme of Action of the Global Conference on the Sustainable Development of Small Island Developing States, held in Barbados this year, and which many of our Territories attended as observers. We therefore wish that the language in the outdated text be replaced with the updated reference to the Barbados Conference Programme of Action on Small Island Developing States, a Programme of Action which is to include participation by and assistance to many Non-Self-Governing Territories.

My Government also wishes to recommend a new operative paragraph at some stage in the deliberations on the question of dissemination of information on decolonization. In this context, we wish to draw the attention of members to the position of the Department of Public Information, expressed before the Subcommittee in 1993, that the United Nations information centres cannot provide information to the Territories because of what was termed at that time as "diplomatic constraints". Now this misperception, which is still fairly pervasive within the wider United Nations system - and it could very well be of assistance to this Committee to dispel such misperceptions - is particularly critical in the area of information, since, although a number of excellent publications on the self-determination process may be periodically produced at United Nations Headquarters, there is not yet in place a mechanism for disseminating these materials to the very people whom these publications are designed to inform.

We are pleased to note in the report of the Subcommittee on Dissemination of Information on Decolonization before this Committee that action has been taken to disseminate information to the Non-Self-Governing Territories through the United Nations information centres, although we are unsure of how widespread that coverage is. We wish therefore to include a paragraph which requests the Department of Public Information to identify focal points in the Territories such as libraries, universities, Government information offices, United Nations associations and other non-governmental bodies to disseminate relevant information about the United Nations in general, including decolonization, through the respective regional offices of the United Nations information centres.

We have reached a crucial point in the history of the decolonization process. We have also reached a critical point in the history of the Special Committee. The international community made a monumental effort to secure the independence of Namibia and the defeat of apartheid in South Africa. The same level of commitment can and must be devoted to the constitutional and socio-economic development of our remaining small island Non-Self-Governing Territories in the Caribbean and the Pacific. Our fulfillment of self-determination cannot and should not be of a lower priority than that of those who have gone before us.

We recognize that changing economic dynamics and the advent of regional and global economic blocs tend to garner the attention of the international community, while Member States are often told that the decolonization period has all but been completed, in spite of the fact that the requirements of resolutions 1514 (XV) and 1541 (XV) have not yet been met. From the presentations the Committee has heard today it is clear that a lot remains to be done.

In that connection, my Government, over the years, has recommended a number of proactive measures to assist in the effort of accelerating the process of self-determination in the remaining small island non-self-governing developing countries. The centrepiece of such a proactive approach is a willingness to engage in dialogue with the people of those Territories.

In that connection, in order to ensure the maximum input from the Territories, we wish to reiterate the proposal we made several years ago regarding the creation of an expert group composed of representatives of the peoples of the Territories themselves to advise the Secretary-General on the most suitable steps to be taken if we are to meet the deadline of the end of the decade. The Plan of Action of the International Decade for the Eradication of Colonialism could be amended to include the establishment of such a body, which would report to the General Assembly as part of the fiftieth anniversary of the United Nations in 1995.

Our second proposal is that a voluntary fund be established to assist Non-Self-Governing Territories in participating in the technical activities of the United Nations, including the various world conferences in which our Territories are invited to participate. Our Territories cannot currently access the voluntary funds often created for these activities, and although Non-Self-Governing Territories are now gaining observer status in important United Nations world conferences and associate membership in important United Nations specialized agencies, budgetary difficulties often prohibit these Territories from taking advantage of their right to participate.

It is the view of my Government that the United Nations system can meet the needs of the small Territories. These proposals, which could be funded from existing budgetary resources, would facilitate that process. We therefore wish to urge this Committee, and through it the General Assembly, to meet the demands and wishes of the contemporary decolonization process, since that process has not ended, as some would have us believe, but has rather entered a new and more complex dimension, a dimension that requires the direct participation of all parties, including the international community and the administering Powers, but most importantly the peoples of the Territories themselves, who must be included in the decision-making process if the Decade is to be successful.

In closing, we wish to circulate our recommended amendments to the draft report for the consideration of the Committee. We sincerely hope the Committee will be given the opportunity at least to examine our suggestions and will perhaps adopt those that meet with the Committee's approval.

Once again, on behalf of my Government, I wish to thank the Committee, and particularly its Bureau, for agreeing to hear the views of the democratically elected Government of the Territory.

The Chairman *(interpretation from Spanish):* I call upon Rapporteur of the Committee, the representative of the Syrian Arab Republic.

Mr. Al-Attar (Syrian Arab Republic) *(interpretation from Arabic):* We wish to thank Mr. Corbin for the information he has provided, and for his suggestions and proposals aimed at achieving the independence of Non-Self-Governing Territories. We would have liked Mr. Corbin to say something about the situation in his Territory, particularly following the elections. Could he tell us the relationship between the Governor and the administering Power? Who appointed or elected the Governor of the United States Virgin Islands? Since Mr. Corbin is the representative of the Governor, was he elected to his post or appointed by the Governor? This information would assist us in our consideration of this question.

Mr. Corbin: With respect to the relationship between the administering Power and the Governor, or the Government, since 1970 modifications to our political status have permitted the Government, and the Governor in particular as Head of Government, to be elected by all eligible voters in the Territory. Hence, in November 1994 we will have elections for the fifth elected Governor of the United States Virgin Islands, again elected by all eligible voters in the Territory.

With respect to my own post, in our system, members of the Cabinet and other high-level officials are appointed by the Governor. In some cases they are ratified by the legislative body, which we call the Legislature or Senate.

The post I hold is not necessarily ratified by the Senate but is a direct appointment of the Governor. I have served in this capacity under three elected Governments of our Territory. I hope that this response provides some background for the Rapporteur.

Mr. Ardhaoui (Tunisia) *(interpretation from French)*: In my capacity as Chairman of the Subcommittee on Small Territories, Petitions, Information and Assistance, I should like to thank Mr. Corbin for having joined us once again to report on the situation prevailing in that Territory. Over the years, Mr. Corbin has become a virtual companion to the Subcommittee. He is a tireless defender of the cause of the Territory he represents, for which I congratulate him.

In connection with the dissemination of information concerning United Nations decolonization activities in his Territory, Mr. Corbin spoke a few moments ago of a misunderstanding between the Subcommittee and the administering Power. I do not believe that there is any such misunderstanding, because the Subcommittee has done its utmost in this respect. It closely examined the issue of information over the course of two - even three - consecutive meetings, in the presence of representatives of the Department of Public Information (DPI).

The Subcommittee as a whole felt that the heads of DPI should be encouraged to make additional efforts in order to ensure that information reaches the peoples of Non-Self-Governing Territories. That, I believe, has been decided and is reflected in the documents that are distributed by the Special Committee. According to our agenda, we shall be considering this question of the dissemination of information tomorrow or, perhaps, later today. Therefore, this is a non-existent misunderstanding. The Subcommittee has done its work. Obviously, though, it cannot do everything, nor can it decide on everything.

Another question raised in part by the representative of Syria, relates to the representatives of the United States Virgin Islands. I concede that there is a difference of interpretation between what the General Assembly seeks in its decisions and resolutions and what the administering Power seeks. By way of example, I might simply mention the problem that has arisen recently. Mr. Chairman, according to correspondence you have received from the Governor of the United States Virgin Islands, Mr. Corbin represents the Territory; therefore, the elected authorities have informed the Chairman of the Special Committee that Mr. Corbin does indeed represent that Territory. The administering Power, which of course will have its say, has responded that Mr. Corbin represents only himself.

We are thus caught in a vicious circle. We have differing interpretations, which have persisted for several years now, and we are unable to extricate ourselves from this situation. Should the United Nations invite Mr. Corbin to participate in the proceedings of the Committee? Should the United Nations pay for the six-day trip of the representative of the United States Virgin Islands? Indeed, this question arises with regard to other Territories as well. It was raised by the representative of Syria in a different guise, but I did wish to refer to it in the recent context of the disagreement between the administering Power and the Governor of the United States Virgin Islands regarding the status of Mr. Corbin.

Mr. Pursoo (Grenada): It is getting late, and I do not wish to detain the Committee, but I take the floor to express some perplexity with the developments regarding the questioning of Mr. Corbin's credentials. Frankly, Mr. Corbin has been representing his Territory for a number of years now, and we are all very familiar with that. In fact, something very strange has happened, it seems, and I wonder if it has happened to other representatives of Territories.

When Mr. Corbin applied to appear as a petitioner before this Committee, apparently questions regarding his credentials were put to the Governor whom he represents. The Governor responded, certifying that Mr. Corbin is legitimate and that he has a right to represent him. But somehow a letter was sent to the administering Power, and I do not know if this is usual. This is the first instance I have seen in which the Governor of a Territory has been asked to certify his representation and another letter has been sent to the administering Power. I do not know if this is the usual practice, but I must reiterate my perplexity at this kind of conduct on the part of whoever in our Committee was responsible for the questioning of Mr. Corbin's credentials in that manner. I am satisfied, as a member of this Committee, that the question has been answered, and answered correctly, and I am very surprised to hear it raised again here today.

Ms. Khan-Cummings (Trinidad and Tobago): I should like to ask Mr. Corbin one question with respect to the Territory's interest in associate membership in the Association of Caribbean States. I should like Mr. Corbin to update the Committee on whether any formal requests have been made to the Caribbean Community Commission in respect to this application, so that the Committee could consider this within the resolution.

Mr. Bangali (Sierra Leone): I too wish to seek some clarification regarding Mr. Corbin's representation of his Territory. Now that we have agreed here in plenary that he is the representative of that Territory, be it *de jure* or *de facto*, I assume that this puts an end to all discussion of reimbursement. Would the Secretariat please inform me if I am correct in that assumption?

The Chairman (*interpretation from Spanish*): I first propose that we would give Mr. Corbin an opportunity to respond to the representative of Trinidad and Tobago. I myself will then make a brief statement. However, before that, are there any other members of the Committee who wish to speak? Since that is not the case, I call upon Mr. Corbin.

Mr. Corbin: I believe there are approximately four statements and/or questions, and I will try to address them. First of all, the Chairman of the Subcommittee made reference to the Department of Public Information and the Subcommittee in relation to the dissemination of information on decolonization.

I believe that perhaps what I said was not specifically clear on this point. However, it was not meant to imply in any way that the Subcommittee was not fulfilling its role in the context of the dissemination of information on decolonization. In fact, in our statement we referred to the important report which is before this Committee today and which refers to some positive movement towards increasing the dissemination of information.

However, the matter still remains that the Department of Public Information does not maintain direct participation with the Territory of the United States Virgin Islands. We are not able to access information from any regional United Nations Information Centre. When we have inquired of the regional centres that service our region, the Caribbean, we have been told that there was no mandate for that office to service us and that there were no resources to service us.

This is why we have recommended that the Committee consider an additional paragraph in the draft resolution to make it clear that the United Nations Information Centres and the Department of Public Information do in fact have a mandate to disseminate information to all Non-Self-Governing Territories, including our own. That was the point of our statement on that particular question.

With respect to the credentials, I find it very difficult personally to discuss a matter that is directly related to me. Suffice it to say that democracy is often relative.

The third point relates to the guidelines on the question of participation. It is very clear that the guidelines which have been approved by this Committee do specifically refer to the participation of elected representatives or their duly authorized representatives, or something of that nature. But my position as a representative of the Governor of the United States Virgin Islands and that of my colleague from Guam, who addressed you this morning as the Chief of Staff of the Governor of Guam, are essentially one and the same.

Moreover, several elected representatives from the legislative branches of the Government of Guam addressed the Committee this morning, and in fact they are in the category of elected representatives. Therefore, based on the guidelines that have been established, the participation of my Government as well as that of the representative of Guam are quite clearly appropriate, as we see it.

Finally, and probably most importantly, is the issue of the Association of Caribbean States, brought up by the distinguished representative of Trinidad and Tobago. It may be recalled, particularly by the Caribbean Community (CARICOM) member States present here in the Committee, that there were a number of discussions with respect to the interests of the United States Virgin Islands in the Association of Caribbean States.

The Secretariat of the Caribbean Community and its Secretary-General were informed of the interest of the Government of the United States Virgin Islands in the Association of Caribbean States. The political relationship that currently exists between the United States Virgin Islands and the administering Power precludes participation in any international organization without the concurrence of the administering Power. At this stage, the territorial Government - my Government - is in the process of initiating consultations with the administering Power on this question.

We do not anticipate that these consultations will bear fruit before the signing of the agreement on 26 July in Cartagena de Indias. However, we do feel that the time would be opportune, following the approval of this document, and it is our intention to proceed with consultations with the administering Power on the question of participation in the Association of Caribbean States. We hasten to add that this is consistent with long-standing United Nations General Assembly resolutions on the participation of Non-Self-Governing Territories in regional organizations. This is the status of that situation.

I hope that I have addressed most, if not all, of the questions that were put to me.

The Chairman (*interpretation from Spanish*): If no other member of the Committee wishes to speak, I would like to say that though I did not occupy the Chair of the Committee when the process mentioned by several members of the Committee began, I am present here at its culmination.

The particularity of this case was simply, as I understand it, that it was the only one where there was a written objection from the administering Power regarding the representative nature of the petitioner. Hence, I think this discussion was valid, and that the concerns and statements expressed by members of the Committee were quite appropriate. In the end, what matters is the decision taken this morning - and which took concrete form this afternoon - authorizing Mr. Corbin to take part in our debates and to express his points of view both on the work of the Committee and on the situation of the Territory he represents.

This demonstrates once and for all that this Committee is not accountable to the administering Powers: we are accountable to the General Assembly. This is the essential point with respect to our work.

I therefore thank Mr. Corbin for having participated in our work and contributed to our discussion. As the representative of Tunisia said, Mr. Corbin has worked with the Committee for many years, and we think that this cooperation must continue, especially for the well-being and self-determination of the people of the United States Virgin Islands.

Question of the Territory of the Pacific Islands

Special Committee decision of 15 August 1991 concerning Puerto Rico

The Chairman (*interpretation from Spanish*): Before taking up the reports of the Subcommittee, I wish to draw the attention of members to *aide-mémoire* 11/94, which was distributed to the Committee on 14 June 1994, relating to the recommendations of the Expanded Bureau on the Trust Territory of the Pacific Islands (Palau) and the Special Committee decision of 15 August 1991 concerning Puerto Rico.

As no comments or suggestions to the contrary were received by 27 June in respect of the recommendations contained in *aide-mémoire* 11/94, I will assume that members are prepared to act on the two recommendations during the present meeting.

In respect to the Trust Territory of the Pacific Islands, I wish to draw members' attention to the following:

> "the Expanded Bureau, taking into account that the Government of Palau held a plebiscite on 9 November 1993 regarding the Compact of Free Association, recommends that the Committee suspend consideration of the Trust Territory of the Pacific Islands until 1995."

May I take it that the Committee agrees with that recommendation?

It was so decided.

The Chairman (*interpretation from Spanish*): With reference to the Special Committee decision of 15 August 1991 concerning Puerto Rico,

> "the Expanded Bureau notes that there has been an annual discussion in the Special Committee on the question of Puerto Rico, including a hearing of the organizations interested in the question, and the adoption of a resolution after the hearing. As regards the postponement in 1992 of the discussion and decision on the item, it is recommended that this postponement be extended until 1995, pending the outcome of other consultations being held and subsequent steps being taken at various levels by the interested parties that could contribute to a procedural solution of the question. The Expanded Bureau also suggests that the Special Committee give due consideration to requests for hearing on the basis of its usual practice."

May I take it that the Committee is in agreement with this recommendation?

It was so decided.

The Chairman (*interpretation from Spanish*): In accordance with our programme of work, the Committee will begin consideration of the requests for hearing of the Special Committee decision of 15 August 1991 concerning Puerto Rico on Thursday, 14 July.

Reports of the Subcommittee on Small Territories, Petitions, Information and Assistance *(continued)*

Question of Pitcairn (A/AC.109/L.1813)

The Chairman *(interpretation from Spanish):* In view of the fact that the Subcommittee approved the draft decision contained in the report (A/AC.109/L.1813) without a vote, may I take it that the Committee wishes to do the same?

The Committee adopted the report and approved the draft decision contained therein.

Question of St. Helena (A/AC.109/L.1814)

The Chairman *(interpretation from Spanish):* The Subcommittee approved the draft decision contained in the report (A/AC.109/L.1814) without a vote. May I take it that the Committee wishes to do the same?

The Committee adopted the report and approved the draft decision contained therein.

Questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands (A/AC.109/L.1815)

The Chairman *(interpretation from Spanish):* I call on the Chairman of the Subcommittee on Small Territories, Petitions, Information and Assistance.

Mr. **Ardhaoui** (Tunisia), Chairman of the Subcommittee on Small Territories, Petitions, Information and Assistance *(interpretation from French):* Earlier, in reference to the United States Virgin Islands, Mr. Corbin mentioned the draft resolution before us. I should simply like to say that this draft resolution has already taken his comments into consideration.

As members know, we met with Mr. Corbin at a Conference in Barbados, where he made some oral comments on last year's resolution and on amendments or modifications he wished to see. I do not wish to say that the draft resolution has met with everything Mr. Corbin desired, but there are several elements that were altered to meet his concerns.

I would have wished to tell him that in person but, unfortunately, he has already left.

Mrs. Khan-Cummings (Trinidad and Tobago): I understand what the Chairman of the Subcommittee has just said, and we did in fact take those comments into consideration.

There is just one thing I would ask here. I thought that, in view of the importance of the Global Conference that took place in Barbados to small island developing States, we might mention the Conference by name in the ninth preambular paragraph. Also with respect to the association of Caribbean States, we might include as one of the organizations in which the United States Virgin Islands has some interests the Organization of Eastern Caribbean States. Since that is another organization within the Caribbean region, it could also be mentioned.

I have just those two small points in terms of reference to organizations.

I am referring to document A/AC.109/L.1815, page 5 in the English version of the document, the ninth preambular paragraph under "General", under the heading

> "A. Consolidated draft resolution on American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat," and so on.

The ninth preambular paragraph now reads:

> "Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation".

To this we would add at the end:

> "and in this connection bearing in mind the Programme of Action of the World Conference on Natural Disaster Reduction, Agenda 21 and the Programme of Action of the Global Conference on the Sustainable Development of Small Island Developing States."

With reference to draft resolution 9, "United States Virgin Islands", which is on page 19 in my document, the third preambular paragraph now reads:

> "Noting also the continuing interest of the Territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer status in the Caribbean Community, and its inability, for financial reasons, to participate", and so on.

After the words "the Eastern Caribbean States", we would insert "and the Association of Caribbean States".

Mr. Ardhaoui (Tunisia), Chairman, Subcommittee on Small Territories, Petitions, Information and Assistance *(interpretation from French)*: In my view, the amendments proposed by the representative of Trinidad and Tobago are quite appropriate, and I would have no objection to including the ideas that she has put forward.

Mr. Pursoo (Grenada): I am in full agreement with the recommendations made as regards the ninth preambular paragraph in the consolidated text.

As for the second amendment proposal, with regard to the inclusion of a reference to the Association of Caribbean States, I should like to have a little more time, because I am not so sure that we are not being a bit premature in this particular instance. I should like to find out a little more about the status of that Association. I am not even sure if that organization is properly formed yet, so I should like to do a little research before agreeing to the second proposal.

The Chairman *(interpretation from Spanish)*: I think the proposals made by the representative of Trinidad and Tobago are completely valid. But in view of the importance of the issue and of what the representative of Grenada has said, I suggest that she put her proposals in writing and distribute them to members. Then at a later meeting the Committee can return to the matter and adopt the amendments and the document. That would give greater significance to the decision and make it possible for us to make progress.

If the representative of Trinidad and Tobago will draft the proposals, we shall distribute them to members and take a decision at a later meeting.

Mr. Ardhaoui (Tunisia), Chairman of the Sub-Committee on Small Territories, Petitions, Information and assistance) *(interpretation from French)*: Perhaps because I am sitting near our colleague from Trinidad and Tobago, I better understood the purport of her amendments. The first, about the general text, gives rise to no problems, so I do not see why we should delay its adoption. It is perfectly valid, and there are no problems for anybody.

As to the United States Virgin Islands, we could accept the proposal of the representative of Grenada and wait a little to carry out the necessary research. But we could adopt the first amendment right away.

Mr. Goel (India): I fully understand what the Chairman of the Sub-Committee has said. Unfortunately, I do not know what the amendment on page 5, the new preambular paragraph proposed by the representative of Trinidad and Tobago, is. I am not an expert on Second Committee matters, and I do not know what our positions have been on these various issues. I could comment on some immediately; on some I would have to consult my Second Committee colleague to know what is meant. Therefore, I should like to have the exact language so that I may decide whether I can concur with it right now or whether I need to consult my colleagues on the other Committees. I am sure the request is reasonable. It is not an attempt to delay matters. It is simply an effort to know what we are trying to approve.

The Chairman *(interpretation from Spanish)*: Of course, it is the right of the representative of India to make that request. That is precisely why we are meeting. I request the representative of Trinidad and Tobago to read out the first proposal.

Mrs. Khan-Cummings (Trinidad and Tobago): The proposal is that the ninth preambular paragraph should read:

> "Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation, and in this connection bearing in mind the Programme of Action of the World Conference on Natural Disaster Reduction, Agenda 21 and the Programme of Action of the Global Conference on the Sustainable Development of Small Island Developing States".

Mr. Bangali (Sierra Leone) Vice-Chairman of the Sub-Committee on Small Territories, Petitions, Information and Assistance: I want to endorse the proposal of the representative of Tunisia that we should adopt the first amendment proposed by the representative of Trinidad and Tobago. It is everybody's right to have recourse to references, but we are talking about a World Conference on natural disasters that has just taken place. I believe everybody is familiar with Agenda 21 and the Conference held in Barbados. I do not see anything novel that necessitates postponing the adoption of the first amendment. I endorse the proposal and strongly recommend that we adopt it. If the representative of Grenada is not sure about the Association of Caribbean States, as he comes from that region I would also support what he said.

The Chairman *(interpretation from Spanish)*: Are we in a position to put the first proposal, concerning the ninth paragraph on page 5, to the Committee for consideration?

Mr. Goel (India): Since I am not very familiar with the Programme of Action of the World Conference on Natural Disaster Reduction or the contents of Agenda 21, I should like to ask for clarification as to whether the programme of work of the World Conference on Natural Disaster Reduction and Agenda 21 had specific programmes of action or any specific recommendations in relation to the small Territories. If so, a brief explanation would help me make up my mind. That is what I meant when I said initially that my ignorance was the reason for my unwillingness to go right ahead and say "Yes". Could somebody enlighten me on that?

The Chairman *(interpretation from Spanish)*: Would the representative of Trinidad and Tobago be so kind as to respond?

Mrs. Khan-Cummings (Trinidad and Tobago): I thank the representative of India for his concern. I am not an expert, like him, on the Second Committee, but in general terms the amendment refers to support for small island developing States and to their particular problems in terms of their vulnerability to natural disasters. The Programme of Action deals with financial assistance and support by the international community in looking into their special geographical concerns and giving the kind of assistance that they will need to prevent such disasters. The amendment concerns general financial and technical assistance to small island developing countries. In a general sense, it gives that kind of support.

The Chairman *(interpretation from Spanish)*: With that information from the representative of Trinidad and Tobago, may we consider the paragraph now?

Mr. Goel (India): After that explanation by the representative of Trinidad and Tobago I am sure I will have no difficulty. This is a small point, but I would request her to be patient and give me the time to consult with colleagues who are experts in these matters. As she herself confessed, she is not an expert in these matters; I am not an expert either. Perhaps she will give me another day or two; I am sure there will be no difficulty. It is just that one would like to know exactly what the situation is and have a chance to check with the people who have been dealing with this matter.

The Chairman *(interpretation from Spanish)*: In the interests of getting on with our work, I believe we can accept the proposal of the representative of India and, notwithstanding the favourable response to the two proposals of the representative of Trinidad and Tobago, postpone their discussion and adoption and, later on, take up the document as a whole. That would leave the door open for consultations among delegations and members.

Mr. Bangali (Sierra Leone): The Chair, of course, has the right to make rulings, but I would urge that we adopt this portion of the draft resolution *ad referendum* and come back to the remainder later, if our colleague from India is satisfied. If there are going to be delays on every issue with which members are not completely familiar, and if we have only five days to complete this session, I do not think we are going to make very rapid progress.

I agree that this is a Second Committee matter, with much documentation and many publications on these issues. This is just one among the several committees that many people cover. So let us not delay the work of the Committee any further, but let us adopt this portion: the representative of Trinidad and Tobago was merely making an additional point. Let us not defer taking action at this time.

The Chairman *(interpretation from Spanish)*: Does the representative of India agree to that proposal?

Mr. Goel (India): As I said, I only wanted one or two days; I wish only to be able to say yes or no, not to suggest any amendments or alternatives to the language. Frankly, I do not understand this insistence on adopting something today when, on the reasonable grounds of my lack of information, I am asking for some time: not for one or two weeks, but only for one or two days.

However, I have no difficulty with adopting the text *ad referendum*, so long as I can be assured that in case we have any difficulties I will have the right to come back to this language and say that we do not agree with it.

Mr. Ardhaoui (Tunisia), Chairman of the Subcommittee on Small Territories, Petitions, Information and Assistance *(interpretation from French)*: Needless to say, I respect the position of the representative of India, but in all honesty I do not understand why he has taken that position. The paragraph has no political or economic implications; we all know what it involves, and I do not think it should be the cause of great problems for our colleague from India.

I appeal to the representative of India to help us make progress in our work. With your permission, Mr. Chairman, I would also say to him that it is not good for us to halt our progress whenever a delegation opposes something. The majority is in agreement with the amendment; only one delegation opposes it - and it is fully entitled to do so. We cannot stop for three days: let us adopt the amendment and make mention of the reservations of the delegation of India, as is the United Nations custom.

Mr. Al-Attar (Syrian Arab Republic): I do not think we have a big problem here. Both the Barbados and the Tokyo conferences were related to the development of small island States. To make the best use of our limited time, I too appeal to the wisdom of the representative of India to accept the amendment; we can always return to that paragraph if he has additional observations to make.

Mr. Goel (India): I really do not understand what all the discussion is about. The representative of Tunisia spoke of reservations. I do not think I expressed any reservations. I expressed my ignorance. If ignorance counts as reservations, so be it; that may be one interpretation. I only expressed my ignorance and lack of information about this paragraph; that is the reason I asked the representative of Trinidad and Tobago to enlighten me. She says that she does not have full information on these points, but provided some information. I then suggested that I be given some time to confer with my colleagues who have dealt with this matter in order to learn what this is all about. Most probably, I will have no difficulty at all with the proposal, but I want to know what we are agreeing on.

Then there was a proposal by the representative of Sierra Leone that we agree to this *ad referendum*; I said we could agree to it on that basis, but that I retain my right to come back to this paragraph at a later stage after checking with my colleagues from the economic committees. At that stage, if I find that there is something about which I have concerns, I would come back to the Committee.

Hence, I have agreed with the proposal by Sierra Leone to agree to the text *ad referendum*; I am only making it clear that I reserve my right to return to this paragraph at a later stage after I have obtained more information.

The Chairman *(interpretation from Spanish):* I appreciate the contribution of each of the members of the Committee. Having heard all of the various positions, and with a view to making progress in our work, I feel that we can adopt the proposal of the representative of Sierra Leone and adopt the paragraph *ad referendum*, without prejudice to the position of the representative of India, who agrees to that procedure. Beyond our obvious obligation to follow United Nations rules and practices, we simply want to do our best to preserve unity and further the work of the Committee, which, in my view is so essential.

Since the Subcommittee adopted the text without a vote, it would be most advisable for the Committee to do so as well. We could always take a vote, of course, and each delegation would have an opportunity to express its views in the customary democratic manner.

We shall therefore leave the second proposal pending, and approve the first *ad referendum*.

Question of the dissemination of information (A/AC.109/L.1816)

The Chairman *(interpretation from Spanish):* May I take it that the Committee adopts the report contained in document A/AC.109/L.1816 and endorses the conclusions and recommendations contained therein?

It was so decided.

The meeting rose at 6.15 p.m.